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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,893	01/21/2004	Andrew M. Bober	JD-326-US	1892
24804	7590	03/05/2008	EXAMINER	
JohnsonDiversey, Inc. 8310 16TH STREET, M/S 509 PO BOX 902 STURTEVANT, WI 53177-0902			PATEL, RITA RAMESH	
			ART UNIT	PAPER NUMBER
			1792	
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			03/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/707,893	Applicant(s) BOBER ET AL.	
	Examiner RITA R. PATEL	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is **non-final**.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/12/07 has been entered.

Response to Applicant's Arguments / Amendments

This Office Action is responsive to the request for continued examination filed 12/12/07. Claims 1-43 are pending. Claims 1, 10-17, 22, 24-32, 34, and 41 have been amended. As a result of the amendments made to the claims, the former 35 USC 103 rejections have been overcome. However, upon further consideration, the instant claims are rejected under new grounds of rejections and thus, claims 1-43 are rejected for the reasons of record.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 and 21-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US Patent No. 6,092,255) and further in view of Rivera et al. herein referred to as "Rivera" (US Patent No. 5,094,559).

Kim teaches a combination scraper, squeegee, and sponge device for cleaning surfaces. Squeegee 14 (squeegee) has a cylindrically curved surface and is made of rubber or elastomer. Sponge 17 (cleaning pad) is a conventional sponge used for cleaning. Squeegee 14 is attached to a front of the cleaning pad and extends above the cleaning pad. Squeegee 14 extends the length of sponge 17. Cleaning sponge 17 absorbs/collects spills from a surface. Additionally, a handle 11 (attachment member) is connected to the cleaning pad by a squeegee retainer 16 (head) which also holds sponge 17 therein.

Kim teaches the claimed invention except fails to teach a sachet member formed within the cleaning sponge 17. However, Rivera teaches a similar in the art cleaning pad having a cleaning pad 20 made of a sponge material. Inside cleaning pad 20 (see Figure 3) are rupturable packets 28 which comprise a plurality of pouches 50 (sachet members) that contain a liquid cleaning or active material 54 of suitable type to clean various soiled surfaces. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate rupturable packets in the cleaning pad of Kim, as taught by Rivera, since these packets allow cleaning material to be dispensed onto the surface to be cleaned and are beneficial in increasing cleaning efficiency and sanitizing.

A disposable packet of cleaning fluid formed within the cleaning pad also increases portability of the cleaning apparatus.

In re Applicant's claim for a second squeegee, it would have been obvious to one of ordinary skill in the art at the time of the invention to duplicate Kim's first squeegee 14 and have a second squeegee located opposite thereof, on the bottom side of the cleaning pad. A second squeegee member merely increases known cleaning/dirt removal means performed by the first squeegee 14. A second squeegee also increases usability by allowing better ergonomic fit of the squeegee blade with the surface being cleaned, thus allowing easier operability by the user. It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 124 USPQ 378 (CCPA 1960). A second squeegee member which is a duplication of Kim's already taught first squeegee member 14 would merely duplicate the functions of the first squeegee member 14. Correspondingly, second squeegee member would have a cylindrically curved surface and extend the length of sponge 17, like first squeegee member 14.

As a result, with a first squeegee member 14 located on an upper side of the sponge 17 and a second squeegee member located on a lower side of the sponge 17, then the sponge and its packets (sachet members) would be positioned between the squeegee members.

Claims 20 and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim and Rivera as applied to claims above, and further in view of Gibbs et al. herein referred to as "Gibbs" (US Patent No. 4,823,427).

Kim and Rivera teach the claimed invention to have a handle 11 except fail to teach the handle to be pivotable. However, Gibbs teaches a conventional cleaning mop having a pivotal handle 52. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a pivoting handle in Kim and Rivera, as taught to be known in the art of sponge-headed mops, to allow the user for enhanced maneuverability, control, and reach. Thus resulting in easier and more efficient cleaning. Having a pivotal mop head on a sponge cleaning device is conventional in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RITA R. PATEL whose telephone number is (571)272-8701. The examiner can normally be reached on M-F: 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/
Supervisory Patent Examiner, Art Unit 1792

/Rita R. Patel/
Examiner, Art Unit 1792